

9200/2621 DAC.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

JOHANNES BRUIJNS

Serial No. 10/023,166

Filed: December 18, 2001



Atty. Docket No.

NL 000772

A METHOD OF ANALYZING A DATA SET COMPRISING A TUBULAR STRUCTURE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313

RECEIVED

JAN 29 2004

PETITION UNDER 37 CFR 1.181 TO
WITHDRAW NOTICE OF ABANDONMENT

Technology Center 2600

Sir:

Applicant respectfully requests the Commissioner for Patents to restore the subject application to pending status on the grounds that Applicant did not receive the Notice To File Missing Parts Of Non-Provisional Application, dated February 22, 2002, and therefore was unable to reply in a timely manner to said Notice.

Applicant did receive a Cover Letter For Resending Correspondence, sua sponte, on September 12, 2003, prepared a Status letter upon realizing that the Notice was believed sent by the Patent Office, and received a Notice of Abandonment dated December 31, 2003.

Applicant has diligently pursued this matter since first becoming aware that the case may have gone abandoned (September 12, 2003). Applicant further believes that the holding of abandonment is the result of circumstances not attributable to any fault by Applicant or his representative, and respectfully suggests that no fee is due.

BEST AVAILABLE COPY

Attachments:

Attached as Exhibit 1 is a Response To Notice To File Missing Parts Of Nonprovisional Application (dated February 22, 2002), including the Declaration and Power of Attorney, fully executed by inventor;

Attached as Exhibit 2 is an Assignment and Assignment cover sheet, fully executed by the inventor, with the appropriate fee;

Attached as Exhibit 3 is a Cover Letter For Resending Correspondence, dated September 8, 2003, forwarding a "courtesy copy" of the Notice mailed February 22, 2002;

Attached as Exhibit 4 is a copy of a Status Letter mailed by applicant on September 23, 2003;

Attached as Exhibit 5 is a copy of the Notice Of Abandonment, dated December 31, 2003; and

Attached as Exhibit 6 is a copy of a status of this case from our docketing system, which indicates any action occurring in the file over time.



EXHIBIT 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

JOHANNES BRUIJNS

NL000772

Serial No. 10/023,166

Filed: DECEMBER 18, 2001

A METHOD OF ANALYZING A DATA SET COMPRISING A TUBULAR STRUCTURE

Commissioner for Patents, Washington, D.C. 20231

ATTENTION: APPLICATION DIVISION

RECEIVED

JAN 29 2004

Technology Center 2600

RESPONSE TO NOTICE TO FILE MISSING
PARTS OF APPLICATION

Sir:

In response to the NOTICE TO FILE MISSING PARTS OF APPLICATION mailed on FEBRUARY 22, 2003, enclosed is a Declaration, properly signed by the Applicant and referring to the above case by its Serial Number and filing date, in compliance with 37 CFR 1.63, and a copy of the Notice. Accordingly, the above-identified patent application is now complete.

Please charge Deposit Account No. 14-1270 in the amount of \$130.00 for the surcharge for filing the Declaration on a date later than the filing date of the application, as set forth in 37 CFR 1.16(e).

Respectfully submitted,

By

John Vodopia, Reg. 36,299

Attorney

(914) 333-9627

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to:

COMMISSIONER FOR PATENTS
Alexandria, VA 22313-1450

On

(Mailing Date)

By

(Signature)



UNITED STATES PATENT AND TRADEMARK OFFICE

03 SEP 12 AM 10:23

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/023,166	12/18/2001	Johannes Bruijns	NL 000772

Michael E. Marion
 U.S. Philips Corporation
 580 White Plains Road
 Tarrytown, NY 10591

DOCKETED	DATE	INITIAL
COMPUTER		
SECRETARY		
ATTORNEY		

CONFIRMATION NO. 5108

FORMALITIES LETTER



OC000000007518416

Date Mailed: 02/22/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - more than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1));

01/18/2005 HNGUYEN 00000004 141270 10023166

01 FC:1051 130.00 DA

*A copy of this notice **MUST** be returned with the reply.*

Haimanot Tegbaru

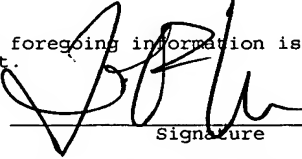
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

EXHIBIT 2

NL000772

Form PTO 1595 (Rev. 6-93)	RECORDATION FORM COVER SHEET PATENTS ONLY	U.S. Dept. of Commerce Patent and Trademark Office
To the Commissioner for Patents: Please record the attached original documents or copy thereof.		
1. Name of conveying party(ies): JOHANNES BRUIJNS Additional name(s) of conveying party(ies) attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	2. Name and address of receiving party(ies): Name: KONINKLIJKE PHILIPS ELECTRONICS N.V. Street Address: GROENEWOUDSEWEG 1 City: 5621 BA EINDHOVEN Country: THE NETHERLANDS Additional name(s) & address(es) attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Terms <input type="checkbox"/> Other Execution Date: 24 JANUARY 2002		
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application, is A. Patent Application No.(s) B. Patent No.(s) 10/023,166 Additional numbers attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
5. Name and address of party to whom correspondence concerning document should be mailed: Name: PHILIPS ELECTRONICS NORTH AMERICA CORPORATION Street Address: P.O. BOX 3001 City: Briarcliff Mnr State: NY Zip: 10510	6. Total number of applications and patents involved: <div style="border: 1px solid black; width: 40px; text-align: center; margin: 0 auto;">1</div>	
	7. Total fee (37 CFR 3.41) ...\$ 40.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to Deposit Account	
	8. Deposit Account Number: <u>14-1270</u> (Attach duplicate copy of this page paying by deposit account)	
DO NOT USE THIS SPACE		
9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. <div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;"> <u>John Vodopia, Reg. 36,299</u> Name of Person Signing </div> <div style="text-align: center;">  Signature </div> <div style="text-align: center;"> <u>1/21/04</u> Date </div> </div>		

Total number of pages including cover sheet, attachments, and document: 2

Mail documents to be recorded with required cover sheet information to:
 Commissioner of Patents and Trademarks
 Box Assignments
 Alexandria, VA 22313-1450

For good and valuable consideration, of which I acknowledge receipt, I, as a below-named assignor, sell and assign to Koninklijke Philips Electronics N.V. (hereinafter "Assignee") a corporation existing under the laws of the Kingdom of the Netherlands, whose business address is Groenewoudseweg 1, 5621 BA Eindhoven, the Netherlands, its successors and assigns, the application for a United States Patent for the improvements in a

"Method of analyzing a data set comprising a tubular structure" invented by me, which application:

- ☐ is executed concurrently herewith
☐ was executed by me/us on
☒ is Serial No. 10/023,166..... filed18..December..2001.....
☐ is International Application No.filed.....,


and all rights in and to said application, and all Patents which may be granted therefor, and all divisions, reissues, continuations and extensions thereof, and authorize and request the Commissioner of Patents and Trademarks to issue all Patents on said improvements or resulting therefrom to said Assignee as assignee of the entire interest and covenant that I have full right so to do, and agree that I will communicate to said Assignee or its representatives any facts known to me respecting said improvements and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid said Assignee, its successors, assigns and nominees, to obtain and enforce proper protection for said invention.

24 January 2002

Date

(sign name here)

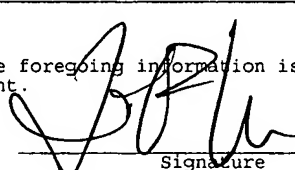
(print name here)


Johannes BRUIJNS

, Assignor

EXHIBIT 2

NL000772

Form PTO 1595 (Rev. 6-93)	RECORDATION FORM COVER SHEET PATENTS ONLY	U.S. Dept. of Commerce Patent and Trademark Office
To the Commissioner for Patents: Please record the attached original documents or copy thereof.		
1. Name of conveying party(ies): JOHANNES BRUIJNS Additional name(s) of conveying party(ies) attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	2. Name and address of receiving party(ies): Name: KONINKLIJKE PHILIPS ELECTRONICS N.V. Street Address: GROENEWOUDSEWEG 1 City: 5621 BA EINDHOVEN Country: THE NETHERLANDS Additional name(s) & address(es) attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Terms <input type="checkbox"/> Other Execution Date: 24 JANUARY 2002		
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application, is A. Patent Application No.(s) 10/023,166 Additional numbers attached? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
5. Name and address of party to whom correspondence concerning document should be mailed: Name: PHILIPS ELECTRONICS NORTH AMERICA CORPORATION Street Address: P.O. BOX 3001 City: Briarcliff Mnr State: NY Zip: 10510	6. Total number of applications and patents involved: 1 7. Total fee (37 CFR 3.41) ...\$40.00 <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to Deposit Account 8. Deposit Account Number: <u>14-1270</u> (Attach duplicate copy of this page paying by deposit account)	
DO NOT USE THIS SPACE		
9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. <div style="display: flex; justify-content: space-between;"> <div> <u>John Vodopia, Reg. 36,299</u> Name of Person Signing </div> <div style="text-align: center;">  Signature </div> <div style="text-align: right;"> <u>1/21/04</u> Date </div> </div> <div style="text-align: right; margin-top: 10px;"> Total number of pages including cover sheet, attachments, and document: <u>2</u> </div>		

Mail documents to be recorded with required cover sheet information to:
 Commissioner of Patents and Trademarks
 Box Assignments
 Alexandria, VA 22313-1450

EXHIBIT 3



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/023,166	12/18/2001	Johannes Bruijns	NL 000772

CONFIRMATION NO. 5108

RESEND COVER LETTER



OC000000010838592

24737
PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

Date Mailed: 09/08/2003

COVER LETTER FOR RESENDING CORRESPONDENCE

A courtesy copy of the Notice mailed on 02/22/2002 is enclosed. The time period for reply continues to run from the mail date of that Notice.

03 SEP 12 AM 10:23

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY

EXHIBIT 4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

JOHANNES BRUIJNS

NL000772

Serial No. 10/023,166

Filed: DECEMBER 18, 2001

A METHOD OF ANALYZING A DATA SET COMPRISING A TUBULAR
STRUCTURE

Commissioner for Patents, Alexandria, VA 22313-1450

STATUS LETTER

Sir:

The Attorney's record in the above-identified application discloses that an action by the Patent and Trademark Office is due therein.

If this status is correct, kindly state the approximate date when said action will be given.

If the status is incorrect, please state the date of the last Patent and Trademark Office action in order to preclude any question of abandonment from arising.

Respectfully submitted,

By

John Vodopia, Reg. 36,299
Attorney
(914) 333-9627

CERTIFICATE OF MAILING

It is hereby certified that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:
COMMISSIONER OF PATENTS AND TRADEMARKS
Alexandria, VA 22313-1450

On 09/23/2003

By G. Kinkor

PL

EXHIBIT 5



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/023,166	12/18/2001	Johannes Bruijns	NL 000772

CONFIRMATION NO. 5108

ABANDONMENT/TERMINATION
LETTER

OC000000011590105

24737
 PHILIPS INTELLECTUAL PROPERTY & STANDARDS
 P.O. BOX 3001
 BRIARCLIFF MANOR, NY 10510

Date Mailed: 12/31/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/22/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Stokes

Customer Service Center
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

EXHIBIT 6

as01.nl.ips.philips.com - KoalaTerm 3.3 - [nlpat1.mkt : Connection to as01.nl.ips.philips.com]

Connection Edit View Window Print Transfer Help

TOOA UPDATE Time Limits 20JAN2004

PH nr : NL0000772 PE basic appl: VERH VERHOEVEN, J.T.M.
Country : US UNITED STATES OF AMERICA PE group : 0 IP&S-NL
Suffix : NORMAL MAC : 6 31DEC2000
AP/LP : H PE IP&S-US : VODO VODOPIA, J.F.
Applic. : INVENTOR Filing : 10/023166 18DEC2001
Status : 60 APPLICATION FILED DEFINIT Laid open :
St date : 14JAN2002 Publicat. :
Grant :
Deadline USPTO confirmation nr : 5108

Off.Action	Advice date	Note	Ind(U/P)	Receive date	Mailing date	Outsourced
18MAR2002	18MAR2002		--	18DEC2001	31MAY2002	
FILING REC	VODO					N
22APR2003	22DEC2003			23OCT2002		
HPMP				RCVD 12-SEP-2003		N
31JAN2004	31JAN2004			31DEC2003		N
PET REVIVE						N

Ready

Please note in Pink Hi-Liter - Notice to File Missing Parts of Application Notation "RCVD 12- SEP-2003".

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